



Author Name: Sharon "Ann" Henderson, R.N., B.S.N.

University: University of Houston

Program of Study: J.D.

Abstract Title: The Obesity Epidemic: A Public Health Emergency--Litigation as a Tool of Public Health

Abstract: The purpose of this research study is to identify the effect of fast food litigation upon the obesity crisis in the United States. Are lawsuits against the fast food industry necessary to force the government to "wake up" and take charge of the obesity crisis? Is it wrong for the fast food industry to be targeted as the next "big tobacco?" Medical, legal, governmental, and public health literature is reviewed for the causative factors of obesity and the impact of litigation in a public health context.

Obesity is the number one public health problem and the number two cause of death in the United States. Two out of every three Americans are overweight. Treatment of obesity-related illness costs 116 billion dollars per year with 20 percent of American children being obese, many plagued with "adult illnesses" of diabetes and heart disease. A high fat diet, sedentary lifestyle, knowledge deficit, and fast pace of living all contribute to causation of obesity. The restaurant industry makes millions in dollars of profit off the sale of high fat, fast food products. Restaurants often use fraudulent, deceptive business practices with misleading advertising and marketing practices. Successful lawsuits against the tobacco companies have set a precedent for suing the fast food chains for their contribution to the obesity problem. If increased voluntary action is not taken by the restaurant and advertising industry, government regulation may occur. Class action litigation against the fast food industry may force regulatory agencies and legislatures to take control of the industry.